



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,631	11/21/2003	Arnis E. Peters	01-1668-E	3462
20306	7590	01/09/2006	EXAMINER	
MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP			AUSTIN, AARON	
300 S. WACKER DRIVE			ART UNIT	
32ND FLOOR			PAPER NUMBER	
CHICAGO, IL 60606			1775	

DATE MAILED: 01/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/719,631		PETERS ET AL.	
	Examiner		Art Unit	
	Aaron S. Austin		1775	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/21/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-17 and 20-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-17 and 20-23 is/are rejected.
- 7) ☒ Claim(s) 12,20,21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities:

reference character 68 has been used to designate a feature located in the mold as well as feature protruding from the surface of the claimed trim piece throughout the Specification (example page 18 line 21 through page 19, line 1);

the recitation "a decorative surface, and a backing" should read "a decorative surface and a backing" on page 6, line 12;

the recitation "and at least on resin feature" should read "at least one resin feature" on page 6, line 13;

the recitation "Figure 5" should read "Figures 5A and 5B" on page 12, line 12;

the sentence beginning "An example of such a trim level piece is shown..." should be rephrased for clarity on page 15, lines 7-10;

the recitation "a resin is injected" should read "a resin that is injected" on page 15, line 16;

the recitation "include and optional through hole" should read "include an optional through hole" on page 15, line 20;

the recitation "a plurality of feature 68(a)" should read "a plurality of features 68(a)" on page 16, line 8;

the recitation "feature 68(a)" should read "features 68(a)";

Appropriate correction is required.

Drawings

The drawings are objected to under 37 CFR 1.83(a) because they fail to show injection ports 19 in Figure 1 as described in the specification (page 10, line 2) or indentation 78 in Figure 13A as described in the specification (page 17, line 21). Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Art Unit: 1775

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "68" and "76" have both been used to designate a feature located in the mold as well as feature protruding from the surface of the claimed trim piece. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claim 12 is objected to because of the following informalities: "sheet having decorative surface" should read "sheet having a decorative surface" for clarity.

Appropriate correction is required.

Claim 20 is objected to because of the following informalities:

"having a at least one" should read "having at least one";

"decorative surface, and a backing" should read "decorative surface and a backing"; and

"at least on resin" should read "at least one resin" for clarity. Appropriate correction is required.

Claim 21 is objected to because of the following informalities: "preformed skin, a preformed metal" should read "preformed skin or a preformed metal". Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 13 and 17 recite the limitation "metal". There is insufficient antecedent basis for this limitation in the claim. Amending the language to "metal sheet" will overcome this rejection.

Claims 14-17 recite the limitation "resin". There is insufficient antecedent basis for this limitation in the claim. Amending the language to "resin layer" will overcome this rejection.

Claim 20 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: the spatial relationship between the decorative surface, backing, and insert. Further, the spatial relationship between the insert, the resin backing, and the resin feature must also be clarified.

Art Unit: 1775

Claim 23 recites the limitation "resin". There is insufficient antecedent basis for this limitation in the claim. Amending the language to "resin backing" will overcome this rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 12-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanikita et al. (U.S. Patent No. 5,833,889).

Tanikita et al. teach a lamp reflector for automobiles (column 5, lines 24-25) a resin film, such as a polyamide (of which nylon is an example) (column 3, line 24), with a thickness of 0.1 to 0.5 mm (column 3, lines 29-30) on which aluminum is deposited in a thickness of 1,000 angstroms (column 4, lines 51-53). In one example, the base resin to which the aluminum is applied contains 30% by weight of glass fibers (column 4, lines 49-50). The decorative surface of the aluminum serves as "a lamp reflector having a light reflective surface F with high imaging properties" (column 4, lines 15-17). The phrase "decorative automobile trim piece" is considered intended use.

Claim Rejections - 35 USC § 103

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tanikita et al. (U.S. Patent No. 5,833,889) in view of Cate et al. (U.S. Patent Application Publication No. 2005/0035609).

Tanikita et al. teach a lamp reflector for automobiles as described above.

Tanikita et al. do not teach an adhesive located between the metal second surface and the resin.

Cate et al. teach a front end carrier or bumper system for an automobile having a structural member, such as a glass filled polyamide, and a reinforcing member, made from a material such as aluminum, both joined by means of an adhesive (paragraph [0040]). The front end carrier "typically houses or is otherwise used to carry one or more lighting assemblies" (*sic*, paragraph [0006]). Therefore, as it is clearly taught by Cate et al. that using an adhesive to join a metal sheet and a resin in association with a lighting assembly provides the advantage of eliminating the "need for attachment through mechanical fixing" (paragraph [0013]), it would have been obvious to one of ordinary skill in the art at the time the claimed invention was made to locate an adhesive between the metal surface and the resin layer of the lamp reflector taught by Tanikita et al. Thus the claimed invention as a whole is *prima facie* obvious over the combined teachings of the prior art.

Claims 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murano (U.S. Patent No. 6,455,138) in view of Cate et al. (U.S. Patent Application Publication No. 2005/0035609).

Murano teaches a metallized composite usable as a substitute for chrome trim in automobile parts (Abstract). The metallized composite comprises a first thermoplastic layer, a second thermoplastic layer, and a discontinuous metal layer between the first and second thermoplastic layer (column 4, lines 1-8). The preformed metal layer serves as an insert between the first and second thermoplastic layers and preferably has a decorative mirror-like surface (column 4, line 16). The first thermoplastic layer is a resin feature located on the insert. An adhesive is used in the discontinuous layer and is preferably a combination of at least two resins (column 4, lines 19-24) forming a preformed skin in combination with the preformed metal layer. The first and second thermoplastic layers can each be clear or tinted (column 5, lines 8-9).

Murano does not teach a through hole in the first thermoplastic layer and underlying metal layer.

Cate et al. teach a front end carrier or bumper system for an automobile as described above. The reinforcing material may have one or more through holes, as can be seen in Figure 1, or otherwise shaped for aesthetic and functional purposes with a decorative surface (paragraph [0006]). Therefore, as it is clearly taught by Cate et al. that front end carrier or bumper systems may include holes for aesthetic and functional purposes, it would have been obvious to one of ordinary skill in the art at the time the claimed invention was made to impart holes on the chrome trim, such as a decoratively chromed front end carrier, taught by Murano. Thus the claimed invention as a whole is *prima facie* obvious over the combined teachings of the prior art.

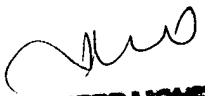
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron S. Austin whose telephone number is (571) 272-8935. The examiner can normally be reached on Monday-Friday: 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Jones can be reached on (571) 272-1535. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ASA


JENNIFER MONEL
PRIMARY EXAMINER
1/5/06